



AF/3739

Patent
Docket No. 2024728-7034064002
(02-05912)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Robert S. Behl, et al.

Serial No.: 09/832,497

Filed: April 11, 2001

For: APPARATUS AND METHOD FOR
TREATING TUMORS NEAR THE
SURFACE OF AN ORGAN

Group Art Unit: 3739

Confirmation No.: 1252

Examiner: Vrettakos, Peter J.

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TECHNOLOGY CENTER R3700

RESPONSE AFTER FINAL TRANSMITTAL

M/S: AF

Commissioner for Patents
Alexandria, VA 22313-1450

Sir,

Transmitted herewith is Response (4 pages) to Office Action, mailed August 20, 2003, for the above-identified application.

Respectfully submitted,
BIGHAM McCUTCHEN LLP

Dated: 17 October 2003

By:

Pamela Merkadeau
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(37 C.F.R. §1.8)

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RESPONSE TO FINAL OFFICE ACTION

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In the Office Action mailed August 20, 2003, claims 32-33, 39-40, and 45-49 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,855,576 (hereinafter LeVeen et al.) and claims 34 and 50-54 were rejected under 35 U.S.C. § 103(a) as unpatentable over LeVeen et al. Applicants respectfully traverse the rejections.